

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,

V.

(1) STRYKER BIOTECH, LLC,

(2) MARK PHILIP,

(3) WILLIAM HEPPNER,

(4) DAVID ARD and

(5) JEFFREY WHITAKER,

Defendants.

Criminal No: 09-CR-10330-GAO

DEFENDANTS' WITNESS LIST

The defendants respectfully submit their proposed witness list. Each defendant also reserves the right to call any witness on the Government's witness list.

1. Beard, Kathy
Hopkinton, MA
2. Beutel, Bruce
Needham, MA
3. Butler, James
Castle Pines, CO
4. Campbell, Travis
Vista, CA
5. Caton, William
630 S. Raymond Avenue
Suite 330
Pasadena, CA
6. Celso, Benedict
Special Agent
FDA - OCI

7. Chokshi, Rakesh
Pee Dee Orthopedic Associates
901 East Cheves Street, Suite 100
Florence, South Carolina 29506
8. Cook, Jeffrey
Omaha, NE
9. Cremieux, Pierre
Analysis Group, Inc.
111 Huntington Avenue
Tenth Floor
Boston, MA 02199
10. Delaney, Michele
Hopkinton, MA
11. Derminio, David
Phoenix, AZ
12. Dopson, Thomas
Atlanta Orthopedic Surgeons
5671 Peachtree Dunwoody Ste 700
Atlanta, GA 30342
13. Fiesel, Christopher
Special Agent
FDA - OCI
14. Fortin, Tara
Hopkinton, MA
15. Fuller, Erin
Special Agent
HHS-OIG
16. Gage, Phillipa
Brookline, MA
17. Geisler, Fred
Chicago Back Institute
5115 N. Francisco Ave
Chicago, IL 60625

18. Grauer, Jonathan
Yale Department of Orthopaedics and Rehabilitation
800 Howard Avenue
New Haven, CT 06510
19. Hadley, Keith
Special Agent
FDA – Los Angeles Field Office
20. Harley, Brian
Upstate Orthopedic Surgeons
6620 Fly Road Suite 100
East Syracuse, NY 13057
21. Hage, Kirin
HHS-OIG
22. Hedley, Mary Lynne
Lexington, MA
23. Ipsen, Brian
1111 Mc Intosh Cir Ste B
Joplin, MO 64804
24. Kilgour, Jeffrey
Mt. Airy, MD
25. Langworthy, Michael
Battle Creek Orthopaedic & Sports Medicine
710 North Avenue
Battle Creek, MI 49017
26. Mataragas, Nicholas
DuPage Medical Group
1801 S. Highland Avenue
Lombard, IL 60148
27. Morey, Michelle
Special Agent
FBI
28. Morgan, John
Special Agent
FDA – Chicago Field Office

29. O'Dell, Carrie
Canton, MA
30. Pagano, Paul
Youngstown Orthopaedic Associates
1499 Boardman-Canfield Road
Boardman, Ohio 44512
31. Panich, Susan
Charleroi, PA
32. Pesterfield, Jason
Stryker Instruments
Kalamazoo, MI
33. Pierce, Paul
Special Agent
FDA - OCI
Raleigh, NC
34. Silverman, Michael
Marblehead, MA
35. Smith, Sean
VA - OIG
36. Urban, Robert
Lexington, MA
37. Waller, Mark
Durango, CO
38. Waytes, Thomas A.
DeWitt, MI
39. Wheeler, Donna
Provincetown, MA
40. Wong, David
Denver Spine
7800 East Orchard Road, Suite 100
Greenwood Village, CO 80111
41. Yung, Sau Gee
Auburndale, FL

The defendants reserve the right to supplement this witness list in light of developments at trial.

Respectfully submitted,

STRYKER BIOTECH, LLC

MARK PHILIP,

/s/ Brien T. O'Connor

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WILLIAM HEPPNER,

DAVID ARD,

/s/ Robert L. Ullmann

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/s/ Brent Gurney

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JEFFREY WHITAKER,

/s/ Frank A. Libby, Jr.

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Dated: January 6, 2012

CERTIFICATE OF SERVICE

I, Brien T. O'Connor, hereby certify that this document, filed through the ECF system, will be served electronically to the registered participants identified on the Notice of Electronic Filing ("NEF"), and that paper copies will be sent via electronic mail to those identified on the NEF as non-registered participants on January 6, 2012.

/s/ Brien T. O'Connor
Brien T. O'Connor